



REGISTERED STUDENTS PRIVACY NOTICE

1. Introduction

KCA University is registered as a Data Controller with the Office of the Data Protection Commissioner (ODPC) (Identification: 349-5820-E44E), and we are committed to ensuring that the data we process is handled in accordance with data protection law.

KCA University needs to collect, maintain, and use personal data relating to students to allow us to process their application for study, register them as a student, administer their courses, and provide facilities during their time as a student. We may also use this data to keep in touch with students after graduation and to contact them to complete a graduate outcomes survey.

We share this data within the University in order to deliver a high standard of service to you, so it is important that you regularly check to see that we have up-to-date information about you in the Student Portal and other relevant information systems. We are occasionally required to share your information with external agencies who request it, such as Kenya Universities and Colleges Central Placement Service (KUCCPS), Commission for University Education (CUE) or Higher Education Loans Board (HELB). We may also ask other agencies for the information they have about you, in order to verify the personal details, you provide.

2. Our expectations of you under this policy

You should regularly check the personal information you have provided - such as your contact details - in the Student System, and ensure that they are kept up to date.

3. Your expectations of us under this policy

We will ensure that personal data held about you is processed in accordance with data protection law (Data Protection Act 2019). It is shared internally where appropriate in order to meet the purposes detailed above. The law requires that any information held is accurate and has been processed fairly and lawfully. Where it is necessary to collect personal sensitive information about you (such as health records) we will only share this information with colleagues who have a legitimate reason for the details. You also have the right to access any personal information we hold about you, and to correct it if necessary.

4. What is personal data (also often referred to as personal information)?

Personal data means any information that relates to or identifies you as an individual and includes opinions about you or information that may not explicitly identify you (e.g. where your name has been removed) but which nevertheless does identify you if it is combined with other information that is readily available.

5. How does this notice relate to other information about data protection?

This notice provides you with the details about the uses we make of your personal information while you are a registered student. In addition to the information published here, when you use specific additional or optional services and facilities offered by the University, you will be told about any other uses of your personal information.

6. Who will process my personal information?

This notice explains how KCA University will hold and process your personal information whilst you are a registered student of the University.

7. How do we obtain your personal data?

We obtain personal data from you when you disclose this to us, as a student, including annually at registration and during the course of your relationship with us when accessing or using any of our services such as the Learning Management System (LMS), e-library, lecture capture, ICT support, financial support, careers advice or counselling services.

We also receive personal data about you from other organizations when you make an application to study at the University and this information will form the basis of your student record when you become a registered student of the University e.g. from KNEC, HELB, KUCCPS and/or from individual referees.

Occasionally, we may also receive personal information about you from other third party organizations that have relationships with the University such as the National Police Service and National Intelligence Service (NIS).

8. What personal information will you process?

The University needs to collect, maintain and use personal data relating to or about you. This includes:

- Personal contact details such as name, title, home and term time address, telephone numbers, and personal email addresses
- Date of birth
- Gender
- Marital status and dependants

- Next of kin and emergency contact information
- Course studied
- Records of payments made to the University
- Bank account details where required for the collection of fees and charges, and where applicable, bursaries and other payments made by the University
- Information about your assessments and results
- National Insurance number where required for Disclosure and Barring Services checks
- Where relevant a copy of passport, visa and other right to study documentation
- A record of the details you provided on your application form, any supporting documents requested as part of your admission and additional details provided by any referees and recorded following any interview process
- Information relating to your health including about a disability collected as part of registration
- For the purposes of assessing eligibility for bursaries, hardship funds and programmes linked to the receipt of a bursary, a record of household income will be maintained
- Records about you and your studies at KCA University or at another institution or partner where you undertake a placement away from the University
- Records about your use of the academic and non-academic facilities and services that we offer including details of your engagement with your programme
- CCTV footage and other information obtained through electronic means such as student (swipe) card records when you are on campus
- Biometric data for acceptable purposes for collecting and subject to explicit consent from individuals, when necessary for complying with contractual obligations, in compliance with legal obligations, vital interests, and legitimate interests pursued by the employer while ensuring data protection and individual rights.
- Information about your use of our information and communications systems
- Photographs/videos used to identify you and those taken at University events. You will be informed separately where photographs/videos are taken at events and consent will be sought before an image/video identifying you is re-used

9. What is the purpose of the processing under data protection law?

We will only use your personal information when the law allows us to do so by providing us with a legal basis or valid condition. Most commonly, we will use your personal information in the following circumstances where it is:

- Necessary for the performance of our contractual obligations with you (e.g. to manage your student experience and welfare while you study at KCA University)
- Necessary for compliance with a legal obligation (e.g. Complying with KUCCPS placement process)

- Necessary for the performance of tasks we carry out in the public interest (e.g. teaching and research)
- Necessary for the pursuit of the legitimate interests of the University or an external organization (e.g. to enable your access to external services)

We may also use your personal information in the following situations, which are likely to be rare:

- Necessary to protect your vital interests (or someone else's interests)

If we require your specific and informed consent for any additional uses of your personal information not referred to in this notice, we will collect this from you separately and explain why it is we need this. You can withdraw your consent at any time.

We might seek additional consent from you when we are taking photographs/videos and want to use the images/videos online or when we need to use or share more sensitive information about you. This includes where we want to share sensitive information with your emergency contact in accordance with the Student Emergency Contact Statement.

We will not use your personal information to carry out any wholly automated decision-making that affects you.

10. How will we process your personal information?

The University will process your personal information, including where applicable your image/video, for a range of contractual, statutory or public interest purposes, including the following:

- To deliver and administer your education, record the details of your studies (including any placements with external organisations), and determine/confirm your academic achievements (e.g. results)
- To administer student related policies and procedures including appeals, complaints, grievances, disciplinary matters (including plagiarism and academic misconduct/ non-academic and Fitness to Practise, Fitness to Study, Health and Conduct Committee and including matters relating to off-campus issues such as anti-social behaviour dealt with by your accommodation facilities), and matters related to health and welfare,
- To operate security (including CCTV), governance, audit and quality assurance processes and arrangements
- To administer the financial aspects of your relationship with us and any funders, including international funders and manage the granting of scholarships, bursaries and other discretionary payments

- To deliver facilities or services to you (e.g. IT including the provision of a University email address, academic advising, academic support, sport, libraries, accommodation, careers, catering, counselling and disability services) to help to achieve your academic potential and support your wellbeing
- To produce student identification cards containing images and maintain records of your image so, for example, that we can identify you and provide access to buildings and services.
- To support your training, medical, safety, welfare and religious requirements
- To compile statistics and conduct research for internal and statutory reporting purposes, for business improvement, and to support changes to service delivery
- To fulfil and monitor our responsibilities under Kenyan equalities, immigration and public safety legislation
- To monitor the class attendance of students
- To enable us to contact others in the event of an emergency, including your designated emergency contacts (we will assume that you have checked with the individuals before you supply their contact details to us) in line with the Student Emergency Contact statement
- To record other remote teaching and learning interactions utilising online meeting tools. You will be provided with further information about these recordings at the time they are made.
- Where relevant (e.g. for PhD students), to monitor, evaluate and support your research activity
- To enable your participation at events, including graduation ceremonies
- To communicate effectively with you by post, email, and phone including the distribution of relevant newsletters and circulars sent to your student email account containing information the University considers necessary to support your student experience. Where appropriate you will be given the opportunity to opt-out of receiving some communications from us
- We may also contact you via social media channels and applications where you have joined an official University social network or initiated contact in this way
- To administer employment contracts where you undertake paid work for the University (see staff privacy notice)
- To enable us to tailor content and services for specific groups of students (e.g. those studying a particular programme, or studying abroad) across our online estate (e.g. Student Portal, e-library, Virtual Campus (LMS) and other websites)
- To comply with our obligations to funders and sponsors (including our disclosure obligations under their terms and conditions and policies)

11. What constitutes “Sensitive Personal Data”?

The University will also process some information about you that is considered sensitive and this is referred to as 'sensitive personal data' in the Data Protection Act 2019. When we process this type of information we are required to apply additional protections. Special category personal data is defined as racial or ethnic social origin, beliefs, conscience, health status-including mental health and disability information, property details, marital status, family details including names of the person's children, parents, spouse or spouses, sex life and sexual orientation, genetic data and biometric data which is processed to uniquely identify a person.

12. How will we process your Sensitive personal information?

We will only process special category personal information in certain situations in accordance with the law. For example, we can do so if we have your explicit consent, and in some circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent, which you can withdraw at any time. Where you provide sensitive information such as details about disability/SLD/health conditions at registration, or at another time in order to receive additional service, such as occupational health, counselling or register with the Disability Support Service you will be given further details about the use of this data.

We do not need your consent to process special category personal data when we are processing it for the following purposes as these satisfy another legal justification:

- the data is contained in a public record;
- where you have deliberately made the data public
- where it is necessary to protect your vital interests or those of another person and where you/they are physically or legally incapable of giving consent. This would be in an emergency situation where your health, wellbeing or welfare was at risk
- where processing is necessary for the establishment, exercise or defense of legal claim
- where the processing is necessary in the public interest for the purposes of protecting the public

13. How will we use your sensitive personal information?

- your race, disability status, national or ethnic origin, religious, philosophical or moral beliefs or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.
- for certain courses of study, placements, and work opportunities information about past criminal convictions and offences will be processed where this is relevant because you are working with children or vulnerable adults, and/or because of fitness to practice or fitness to train requirements in certain regulated professions. In these circumstances, a DCI check may be required, where this is the case you will be informed separately.

- Information relating to criminal convictions is collected once an offer has been accepted. This is to ensure that appropriate risk assessments can be carried out. A record of your response to this question is maintained and is updated if the University is made aware that you have been convicted of an offence during your time as a registered student
- information about your physical health or mental health or disability status to ensure your health and safety whilst registered at the University and to assess your fitness to study, travel, take part in placements, provide appropriate reasonable adjustments and where you request it, to make decisions relating to applications for mitigating or changed circumstances or other academic appeals
- where you choose to provide the University with sensitive information about yourself for the purposes of student support we will use this to work with you and provide the support you requested. On occasion, when we receive information about you relating to a concern from a third party we will also use this to provide you with appropriate support which may include taking action to safeguard you or someone else.

14. Who will my personal information be shared with?

As described above, your personal information is shared with relevant KCA University staff as required. In addition, it is shared as permitted or required by law, on a considered and confidential basis, with a range of external organizations or third parties, including the following:

- Your funders and/or sponsors (e.g., as relevant, HELB, other funders or sponsors, funders based in other countries including those outside Kenya, Research and Innovation, Research Councils, the funders of any awards or prizes)
- The providers of any external/collaborative learning, training, work and other placements (including schools involved in the provision of teacher training), or fieldwork opportunities e.g. affiliated institutions, exchange partners, including to providers based overseas
- The relevant KCA University centers if you are studying a course with learning based there
- External examiners and assessors, and external individuals involved in relevant University committees or procedures
- Relevant Kenya Government Departments (e.g. Department for Education, Ministry of Interior, Ministry of Foreign Affairs, Ministry of Health) and other public bodies for the assessment of student status for immigration and visa purposes; for the purposes of gathering census or other information including the assessment of fee.
- Relevant Higher Education bodies (e.g. KUCCPS, HELB, TVETA)
- If you are a student training to become a teacher in Teaching Practice programme, personal details such as name and contact details, sensitive information relating to your

background and disability status and academic background will be shared with the TSC via their Data Management System. In addition, details about your academic achievements and welfare whilst registered at KCA University will be shared with TSC with your consent

- Any other relevant professional or statutory regulatory bodies
- Where you are a KCA Student based in the diaspora or studying in foreign universities under an arrangement facilitated by KCA University (e.g. through partnerships and collaborations) personal information may be disclosed to international governmental/regulatory bodies based in the relevant countries.
- To third party student accommodation providers operating under contract on behalf of the University
- The KCA University Students' Union, in order to facilitate your membership of this and associated clubs and societies. You have the opportunity to opt-out of membership of the Students' Union by following the procedure outlined in the relevant Student Union Policy.
- On occasion and where necessary, the police and other law enforcement agencies.
- Where necessary the emergency services and your designated emergency contact where there is an urgent requirement to share information e.g. illness, serious injury, bereavement or the suspicion/risk of this in accordance with the Student Emergency Contact statement.
- On occasion and where necessary, University auditors and, where required, other statutory bodies acting in an audit capacity e.g. CUE.
- On occasion and where necessary, subsidiary companies of the University
- Companies or organisations providing specific services to, or on behalf of, the University under contract (a data processor) e.g. Google for email services, Microsoft for ERP services.
- To any third party wishing to access a catalogue within the University's library containing reference to student work
- To banks (and other payment agencies you may use), family members who are paying your fees, sponsors or other third parties to enable them to pay student debts and this includes the disclosure of relevant information to our supplier of banking services for the purposes of complying with anti-money laundering regulations
- To external agents and debt collectors acting for the University in relation to the repayment of student debts; where relevant to international sponsors, details about your studies will be disclosed to that provider
- Confirmation of your results and qualifications awarded may be made available via your student portal and you can choose to share this information with third parties such as potential employers.
- We will provide references to third parties with your consent

- We will make your name and confirmation of your award available at your graduation ceremony and in the graduation programme which will be published online but you have the opportunity to opt-out of this by following the set out procedure.
- We will include your basic contact details in our internal online directory and social media platforms (e.g. WhatsApp groups), though you can opt out of these.
- On occasion, the above types of sharing may involve the transfer of your personal information outside Kenya (e.g. to facilitate your participation in an exchange visit or to report to an overseas funding provider). Such transfers usually are necessary in order to meet our contractual obligations with you, and are carried out with appropriate safeguards in place to ensure the confidentiality and security of your personal information
- Other than as set out above, we will not normally publish or disclose any personal information about you to other external enquirers or organizations unless you have requested it or consented to it, or unless it is in your vital interests to do so (e.g. in an emergency situation).
- Our funders and sponsors - this may include for the purposes of applying for grants/funding and managing successful applications (the University is required, for example, to disclose certain information to funders and sponsors under grant/funding terms and conditions including, for example, allegations of bullying and harassment raised in connection with individuals associated with the grant/funding)

15. How is my personal information used after I graduate?

After you graduate a permanent record of you and your studies is retained indefinitely so that the details of your academic achievements can be confirmed and used for statistical or historical research.

- Your contact details and details about your studies are passed to the Department of Alumni Relations (DAR) at the point of formally becoming a student so that you can be added to the alumni database. You will receive more details at the appropriate time and have the opportunity to opt-out of being contacted by DAR.
- Your contact details will also be passed to relevant third party organizations contracted to undertake a graduate outcomes survey on their behalf. The survey contractor will only use your contact details for the survey and will delete them when the survey is closed. Your contact details may be held for further graduate outcomes surveys where these are in the public interest. Your responses to the survey of graduate outcomes will be made available to the University. These surveys are used to create statistics to meet the public interest in the outcomes of higher education
- If you are contacted and asked to take part in post-graduation or student experience related surveys further privacy and data protection information will be provided to you.

You might also be contacted as part of an audit to check that the survey has been undertaken properly

16. What are my rights in connection with my personal information?

Under certain circumstances, by law, you have the right to:

- Request access to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it
- Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected
- Request erasure of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing
- Object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation that makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes
- Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it
- Request the transfer of your personal information to another party

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

If you would like to exercise any of these rights, you should contact the KCA University Data Protection Office using the contact details provided at the end of this document.

17. How long is my information kept?

We store your personal information as part of your student record for the duration of your studies and for a defined period after you graduate or withdraw from your studies. In addition, information directly relating to your studies and the qualifications you were awarded is retained much longer as stated above and this information may also be consulted as part of our assessment of any future application you make for further studies at KCA University.

18. Who can I contact?

If you have any questions about how your personal information is used, or wish to exercise any of your rights, please contact the University's Data Protection Office by email: dpo@kcau.ac.ke or you can write to Data Protection Office, KCA University, P. O. Box 56808 – 00200 Nairobi, Kenya.

19. Complaints

If you wish to raise a complaint about how we have handled your personal data, you can contact the University Data Protection Officer who will investigate the matter.

Our Data Protection Officer can be contacted at dpo@kcau.ac.ke, by calling +254 710888022, or by writing to Data Protection Office, P.O. Box56808-00200, Nairobi, Thika Road, Ruaraka.

If you are not satisfied with our response or believe we are not processing your personal data in accordance with the law, you can complain to the Data Commissioners Office (ODPC) <https://www.odpc.go.ke>

20. Updates to this privacy notice

We may update this privacy notice from time to time in response to changing legal, technical or business developments. When we update our privacy notice, we will take appropriate measures to inform you, consistent with the significance of the changes we make.

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